



3555821

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): George L. Cohn State Bar #92550 2850 Artesia Blvd, Suite 201 Redondo Beach, CA 90278 TELEPHONE NO.: 310-370-3730 FAX NO. (Optional): 310-370-3703 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): Plaintiff		FOR COURT USE ONLY FILED ALAMEDA COUNTY DEC 16 2004 CLERK OF THE SUPERIOR COURT <i>[Signature]</i>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Alameda STREET ADDRESS: 1225 Fallon Street MAILING ADDRESS: 1225 Fallon Street CITY AND ZIP CODE: Oakland, CA 94612 BRANCH NAME: Rene C. Davidson Courthouse		
PLAINTIFF: Sallie Mae Servicing, L.P. DEFENDANT: Brian Fuller		
JUDGMENT <input type="checkbox"/> By Clerk <input type="checkbox"/> By Default <input type="checkbox"/> After Court Trial <input type="checkbox"/> By Court <input checked="" type="checkbox"/> On Stipulation <input type="checkbox"/> Defendant Did Not Appear at Trial		
		CASE NUMBER: RG04141210

JUDGMENT

1. ☐ **BY DEFAULT**
- Defendant was properly served with a copy of the summons and complaint.
 - Defendant failed to answer the complaint or appear and defend the action within the time allowed by law.
 - Defendant's default was entered by the clerk upon plaintiff's application.
 - ☐ **Clerk's Judgment** (Code Civ. Proc., § 585(a)). Defendant was sued only on a contract or judgment of a court of this state for the recovery of money.
 - ☐ **Court Judgment** (Code Civ. Proc., § 585(b)). The court considered
 - ☐ plaintiff's testimony and other evidence.
 - ☐ plaintiff's written declaration (Code Civ. Proc., § 585(d)).
2. ☒ **ON STIPULATION**
- Plaintiff and defendant agreed (stipulated) that a judgment be entered in this case. The court approved the stipulated judgment and
 - ☒ the signed written stipulation was filed in the case.
 - ☐ the stipulation was stated in open court ☐ the stipulation was stated on the record.
3. ☐ **AFTER COURT TRIAL.** The jury was waived. The court considered the evidence.
- The case was tried on (date and time):
before (name of judicial officer):
 - Appearances by:

<input type="checkbox"/> Plaintiff (name each):	<input type="checkbox"/> Plaintiff's attorney (name each):
(1)	(1)
(2)	(2)
<input type="checkbox"/> Continued on Attachment 3b.	
<input type="checkbox"/> Defendant (name each):	<input type="checkbox"/> Defendant's attorney (name each):
(1)	(1)
(2)	(2)
<input type="checkbox"/> Continued on Attachment 3b.	
 - ☐ Defendant did not appear at trial. Defendant was properly served with notice of trial.
 - ☐ A statement of decision (Code Civ. Proc., § 632) ☐ was not ☐ was requested.

RECEIVED

DEC 9 2004

By Court Clerk
ALAMEDA COUNTY SUPERIOR COURT

RECEIVED
MAR 21 2005
BY SMSC BNK/LIT UNIT

PLAINTIFF: Sallie Mae Servicing, L.P.	CASE NUMBER: RG04141210
DEFENDANT: Brian Fuller	

JUDGMENT IS ENTERED AS FOLLOWS BY: ☒ THE COURT ☐ THE CLERK

4. ☒ **Stipulated Judgment.** Judgment is entered according to the stipulation of the parties.

5. **Parties.** Judgment is

a. ☒ for plaintiff (name each):
Sallie Mae Servicing, L.P.

c. ☐ for cross-complainant (name each):

and against defendant (names):
Brian Fuller

and against cross-defendant (name each):

☐ Continued on Attachment 5a.

☐ Continued on Attachment 5c.

b. ☐ for defendant (name each):

d. ☐ for cross-defendant (name each):

6. **Amount.**

a. ☒ Defendant named in item 5a above must pay plaintiff on the complaint:

c. ☐ Cross-defendant named in item 5c above must pay cross-complainant on the cross-complaint:

(1)	<input checked="" type="checkbox"/> Damages	\$ 31,497.94
(2)	<input checked="" type="checkbox"/> Prejudgment interest at the annual rate of %	\$ 2,420.32
(3)	<input type="checkbox"/> Attorney fees	\$
(4)	<input checked="" type="checkbox"/> Costs	\$ 356.45
(5)	<input type="checkbox"/> Other (specify):	\$
(6)	TOTAL	\$ 34,274.71

(1)	<input type="checkbox"/> Damages	\$
(2)	<input type="checkbox"/> Prejudgment interest at the annual rate of %	\$
(3)	<input type="checkbox"/> Attorney fees	\$
(4)	<input type="checkbox"/> Costs	\$
(5)	<input type="checkbox"/> Other (specify):	\$
(6)	TOTAL	\$

b. ☐ Plaintiff to receive nothing from defendant named in item 5b.

☐ Defendant named in item 5b to recover costs \$
☐ and attorney fees \$

d. ☐ Cross-complainant to receive nothing from cross-defendant named in item 5d.

☐ Cross-defendant named in item 5d to recover costs \$
☐ and attorney fees \$

7. ☐ Other (specify):

Date: December 16, 2004

☐ St A Bk
JUDICIAL OFFICER

SDG

Date: ☐ Clerk, by _____, Deputy



CLERK'S CERTIFICATE (Optional)

I certify that this is a true copy of the original judgment on file in the court.

Date: MAR - 8 2005

ARTHUR SIMS
EXECUTIVE OFFICER/CLERK

Clerk, by Arthur Sims Deputy

Page 2 of 2

PO BOX 6228
INDIANAPOLIS IN 46206

(800) 251-4127

CLERK OF COU R T/SUPERIOR COURT
OF ALAMEDA COUNTY
1225 FALLON ST
OAKLAND CA 94612

Dear CLERK OF COU R T/SUPERIOR COURT,

03/29/05

I, DIANE E KLINGES, representing
HICA EDUCATION LOAN CORPORATION, Assignor, in consideration of the
insurance claim paid by the United States of America to
HICA EDUCATION LOAN CORPORATION, hereby assign to the United States
Department of Health and Human Services, Assignee, the judgment
recovered on 12/16/04 docketed in SLAMEDA COUNTY,
Case No. RG04141210,
against BRIAN D FULLER, *SSN Redacted* in the amount of
\$34,274.71, less costs and attorney fees in the amount of
\$33,918.26.

Assignor authorizes the Assignee to ask, demand, receive and to sue out
executions and take all lawful ways for recovery of the money due or to
become due on this judgment.

Assignor has not done and will not do anything to hinder or prevent the
United States of America from enforcing this judgment.

The HICA EDUCATION LOAN CORPORATION address and phone number is:
3900 W TECHNOLOGY CIRCLE, SIOUX FALLS, SD,
57106, (605) 361-5051.

The United States Department of Health and Human Services' address and
phone number is: 5600 Fishers Lane, Room 2B-60, Rockville, MD 20857,
301-443-1782.

I have executed this assignment at HICA EDUCATION LOAN CORPORATION,
3900 W TECHNOLOGY CIRCLE, SIOUX FALLS, SD,
57106, on 03/29/05.


(signature)